

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

U.S. UNDERWRITERS INSURANCE COMPANY,

07 CIV 8687 (WHP)

Plaintiff,

--against--

**INITIAL DISCLOSURE
OF DEFENDANT
DESIREE BRAITHWAITE**

ABYSSINIAN DEVELOPMENT CORPORATION, A.L.
EASTMOND & SONS, INC., EASTMOND & SONS
BOILER REPAIR & WELDING SERVICE, INC., TEAMS
HOUSING DEVELOPMENT FUND COMPANY,
DESIREE BRAITHWAITE,

Defendants.

-----X

Defendant DESIREE BRAITHWAITE, by her attorneys, FISCHER & BURSTEIN, P.C., as and for her Initial Disclosure pursuant to Rule 26 of the Federal Rules of Civil Procedure, states as follows:

A. WITNESSES

(1) The name and, if known, the address and telephone number of each individual that may have information that may support any claim or defense of the disclosing party, identifying the subjects of the information, and a brief, fair summary of the substance of the information known by the person:

Desiree Brathwaite
174 West 137th Street
New York, New York 10030
(212) 491- 1542

Defendant Desiree Brathwaite may testify to her knowledge, if any, concerning the incident that forms the basis of this case.

B. DOCUMENTS

(1) Copies of all documents, data compilations, and tangible things in the possession, custody, or control of the disclosing party, which she may use in support of any claim or defense are as follows: None, except for those documents, including, but not to, pleadings, discovery demands and discovery responses previously filed with the Supreme Court of the State of New York, Bronx County, under Index No.: 8587/06, in connection with the underlying action and which are a matter of public record.

C. COMPUTATION OF DAMAGES

(1) Explanation: To be determined.

D. INSURANCE AGREEMENTS

(1) None.

E. EXPERT TESTIMONY

(1) The identify of any person who may be used at trial to present evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence are as follows: None at this time.

F. PRETRIAL DISCLOSURES

(1) The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the disclosing party expects to present and those whom the party may call if the need arises:

See parts "A(1)" above.

(2) The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony are as follows:

None at this time.

(3) An appropriate identification of each document or other exhibits, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises are as follows:

See part "B(1)" above.

Dated: New York, New York
December 26, 2007

Respectfully submitted,

FISCHER AND BURSTEIN, P.C.

By: _____

Frank D. Savinon (FS-2052)
Attorneys for Defendant
DESIREE BRAITHWAITE
350 Fifth Avenue, Suite 3120
New York, New York 10118
(212) 268-7900

TO: MIRANDA SOKOLOFF SAMBURSKY SLOWNE VERVENIOTIS LLP
Attorneys for Plaintiff
U.S. UNDERWRITERS INSURANCE COMPANY
240 Mineola Boulevard
Mineola, New York 11501
Attn.: Steven Verveniotis, Esq.

WINDELS, MARX, LANE & MITTENDORF, LLP
Attorneys for Defendant
ABYSSINIAN DEVELOPMENT CORPORATION
156 West 56th Street
New York, New York 10019
Attn.: Stephen M. DeHoff, Esq.

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP
Attorneys for Defendants
A. L. EASTMOND & SONS, INC., EASTMOND &
SONS BOILER REPAIR & WELDING SERVICE, INC.
3 Gannett Drive
White Plains, New York 10604
Attn.: Richard Reiter, Esq.

TEAMS HOUSING DEVELOPMENT FUND COMPANY, INC.
Defendant
175 West 137th Street
Bronx, New York 10030